

REMARKS

Applicant respectfully traverses and requests reconsideration.

Applicant wishes to thank the Examiner for the notice that claim 39 is allowed and that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's attorney wishes to thank the Examiner for the courtesies extended during the telephone conference of August 28, 2006 regarding the apparent non rejection of claim 12 and other claims.

As discussed, it appears that the office action did not provide a basis of rejection for Applicant's claims and as such, these claims are in condition for allowance, or Applicant respectfully requests a non final action so that any properly reasoned rejection can be addressed. Applicant previously noted that it appeared that there was no basis for rejection set forth for claim 12 and other claims. In the "Response to Arguments" section of the final action, the Examiner states "However, a rejection was supplied for claim 12 in paragraph 16 of the office action." However, in paragraph 16 of the office action, Applicant is unable to find the claim language of claim 12 and other claims addressed in this single paragraph that rejects 19 claims. In fact, it appears that only the language of claim 1 has been addressed. Accordingly, Applicant respectfully submits that the language of the many other claims also does not appear to be addressed in the office action and that a non final action should be issued if these claims are not allowed. For example, it does not appear that the office action sets forth a reasoned basis for: claim 4 publishing the signed certificate set of certificate issuing units; claim 6 wherein the step of collecting the at least one cross certificate includes collecting cross certificates from a data repository associated with the anchor CA; claim 7 digitally sign the created sign certificate set to provide a trusted cross certificate sign certificate set for use by a client unit; claim 12 regarding

the plurality of signed certificate sets on a per anchor certificate issuing unit basis wherein each of the signed certificate set contains the claimed information in publishing each signed certificate set as claimed; claim 14 caching, by a client unit, copy of the signed certificate set of certificate issuing units and wherein the client unit does not perform validation of the certificate issuing unit certificates but validates an end entity certificate by seeing if the certificate issuing entity associated with the end entity is on the cached signed certificate set and using the public key of that certificate issuing entity to validate the end entity certificate; claim 26 the claimed signed certificate set generator is claimed and the client unit is claimed and corresponding claims in the list of claims alleged to be rejected.

As to the typographical error of claim 1, Applicant has amended claim 1 to correct the typographical error. Accordingly, Applicant respectfully requests withdrawal of the objection.

Claim 46 has also been amended. Accordingly, Applicant respectfully requests that the 112 objection also be withdrawn with respect to this claim.

Claims 16-17, 19-21, 24-29 and 38-44 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicant has amended the Specification to indicate that the software application is an executing application as known in the art by definition must be a processor executing executable instructions.

Claim 46 stands rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Applicant respectfully submits that the clause refers to a “signed certificate set” and as such, under normal grammatical interpretation it will be recognized by one of ordinary skill in the art that the digital signature is associated with the signed certificate set. The Examiner’s assumption is correct.

Claims 1, 2, 4-7, 12-17, 19-21, 24-33, 35, 37-38, 40-41, 43 and 45-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,304,974 to Samar in view of Menezes. Samar is directed to a method and apparatus for managing trusted certificates that assembles a list of trusted certificates containing public keys for authenticating communications signed by associated private keys. A client verifies that a fingerprint received through a second communication mechanism was constructed from the list of trusted certificates received through the first communication mechanism. An enterprise administrator includes its own certificate along with the other trusted certificates in the list. Once the user verifies the fingerprint and installs the list, subsequent updates to the list do not require further out-of-band verification of the fingerprint and the enterprise administrator's public key is used to verify any updated list. The office action cites column 6, lines 14-21 and lines 28-34 as allegedly teaching collecting at least one cross certificate and obtaining a certificate issuing unit public key and associated unique identifier for a cross certified certificate issuing unit identified by the at least one cross certificate. However, Applicant is unable to find any mention of a cross certificate in the cited portion or a signed certificate set as claimed. As such, the reasons for rejecting the claim do not appear to be taught in the reference and as such, the claim is in condition for allowance.

In addition, the office action admits that Samar fails to teach, among other things, collecting cross certificates and creating a signed certificate set that identifies a plurality of certificate issuing units determined to be trusted by the anchor certificate issuing unit based on the at least one cross certificate. The office action cites to Menezes and the definition of cross certificate of page 572 thereof. The office action then states "therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Samar to collect the enterprise administrator's cross certificates to build the list of trusted CAs."

Applicant respectfully submits that there is no teaching of enterprise administrator cross certificates in Samar or Menezes and no motivation provided by the mere definition of a cross certificate. In fact, the cited portions of Menezes and Samar are both silent as to how to use cross certificates in a signed set as claimed and neither reference, alone or in combination, describes creating a signed certificate set identifying a plurality of certificate issuing units determined to be trusted by an anchor certificate issuing unit based on at least one cross certificate associated with the anchor certificate issuing unit wherein the signed certificate set includes a digital signature. For example, Menezes does not appear to teach in the cited portion any mechanism for using a cross certificate but merely defines what one is which is known in the art. The motivation alleged appears to be a restatement of the definition of a cross certificate.

The dependent claims add additional novel and non-obvious subject matter.


Applicant respectfully submits that this claim and the other claims are allowable for the reasons given above and also respectfully submits that Samar does not teach, among other things, creating a plurality of signed certificate sets on a per-anchor certificate issuing unit basis since if it is alleged that the enterprise administrator is an anchor certificate issuing unit there is only one enterprise administrator described since it accommodates the operation for the system. Moreover, the enterprise administrator does not appear to be an anchor certificate issuing unit since it does not appear to issue certificates but instead accesses certificate issuing authorities. Accordingly, the claims are believed to be in condition for allowance. The other dependent claims add additional novel and non-obvious subject matter.

Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the

below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Date: 8/28/06

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